

MINUTES

MONTANA SENATE 64th LEGISLATURE - REGULAR SESSION COMMITTEE ON NATURAL RESOURCES

Call to Order: Chair Chas Vincent, on April 8, 2015 at 3:00 PM, in Room 303 Capitol

ROLL CALL

Members Present:

Sen. Chas Vincent, Chair (R)
Sen. Rick Ripley, Vice Chair (R)
Sen. Duane Ankney (R) (entered after roll call)
Sen. John Brenden (R)
Sen. Pat Connell (R)
Sen. Jennifer Fielder (R)
Sen. Bradley Hamlett (D) (entered after roll call)
Sen. Brian Hoven (R)
Sen. Christine Kaufmann (D)
Sen. Jim Keane (D)
Sen. Cliff Larsen (D)
Sen. Mike Phillips (D)

Members Excused: None

Members Absent: None

Staff Present: Julie Emge, Committee Secretary
Sonja Nowakowski, Legislative Branch

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted: SR 5, 3/12/2015; HB 434, 4/1/2015; HB 590, 4/1/2015; HJ 13, 3/24/2015

Executive Action: SJ 17: Table
HB 46: Table
HB 519: Table
HB 434: Be Concurred In
HB 525: Be Concurred In
SR 5: Do Pass

00:01:26 Chair Vincent turned over chair responsibilities to Vice Chair Ripley.

HEARING ON SR 5

Opening Statement by Sponsor:

00:01:46 Sen. Chas Vincent (R), SD 1, opened the hearing on SR 5, Confirm Governor's appointment related to environmental quality and review.

00:02:47 Vice Chair Ripley

MARIETTA CANTY

Proponents' Testimony:

00:03:00 Marietta Canty, appointee

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

00:04:05 Sen. Keane

00:04:23 Ms. Canty, appointee

ROBIN SHROPSHIRE

Proponents' Testimony:

00:04:56 Robin Shropshire, appointee

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses: None

TOM LIVERS

Proponents' Testimony:

00:06:49 Tom Livers, appointee, director, Department of Environmental Quality

00:13:47 Dave Galt, director, Montana Petroleum Association

00:14:32 Mark Lambrecht, executive director, Treasure State Resource Industry Association

00:15:52 Tom Ebzery, self

00:16:41 Tammy Johnson, executive director, Montana Mining Association

00:17:19 Judy Hanson, retired, Department of Environmental Quality

00:18:26 Ronda Wiggers, Barrick Golden Sunlight Mine

00:19:06 Anne Hedges, deputy director, Montana Environmental Information Center

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

00:20:13 Sen. Phillips

00:24:31 Mr. Livers, appointee

Closing by Sponsor:

00:25:37 Sen. Vincent

00:26:57 Chair Vincent resumed chair responsibilities.

HEARING ON HB 434

Opening Statement by Sponsor:

00:27:11 Rep. Ed Lieser (D), HD 5, opened the hearing on HB 434, Revise asbestos laws.

Proponents' Testimony:

00:30:55 Mark Hall, section supervisor, Hazardous Materials Section, Department of Environmental Quality (DEQ)

00:31:46 Ann Hedges, deputy director, Montana Environmental Information Center

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

00:33:23 Sen. Ripley

00:33:36 Rep. Lieser

00:34:04 Mr. Hall, DEQ

00:35:28 Sen. Ripley

00:36:53 Mr. Hall

00:37:10 Sen. Kaufmann

00:38:20 Mr. Hall

00:38:48 Sen. Connell

00:39:01 Chair Vincent

00:40:55 Mr. Hall

Closing by Sponsor:

00:41:23 Rep. Lieser

HEARING ON HB 590

Opening Statement by Sponsor:

00:42:25 Rep. Mike Cuffe (R), HD 2, opened the hearing on HB 590, Revise state finance laws to received proceeds from Libby Dam water storage/use.

[EXHIBIT](#)(nas70a01)

Proponents' Testimony: None

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

00:51:07 Sen. Ripley
00:52:02 Rep. Cuffe
00:52:34 Sen. Hamlett
00:57:55 Rep. Cuffe
00:58:35 Sen. Brenden

01:00:37 Sen. Hamlett left the hearing.

01:00:53 Rep. Cuffe
01:07:28 Sen. Brenden

Closing by Sponsor:

01:07:30 Sen. Cuffe

HEARING ON HJ 13

Opening Statement by Sponsor:

01:08:17 Rep. Kerry White (R), HD 64, opened the hearing on HJ 13, Interim study of federal roads and parcels and access.

01:10:22 Sen. Keane left the hearing.

Proponents' Testimony:

01:11:39 Chuck Denowh, United Property Owners of Montana
01:13:58 Nicole Rolf, Montana Farm Bureau Federation
01:14:30 Bob Gilbert, Citizens for Balanced Use

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

01:16:07 Sen. Phillips
 01:17:56 Rep. White
 01:19:00 Sen. Kaufmann
 01:21:10 John Hagengruber, US Forest Service (USFS)
 01:21:39 Sen. Ripley
 01:25:15 Rep. White
 01:26:11 Sen. Connell
 01:28:37 Mr. Hagengruber, USFS
 01:28:45 Sen. Connell
 01:32:04 Rep. White
 01:35:31 Sen. Fielder
 01:36:24 Mr. Hagengruber
 01:36:56 Sen. Fielder
 01:38:03 Rep. White
 01:38:09 Sen. Fielder
 01:38:25 Sen. Hoven
 01:39:49 Rep. White
 01:40:55 Chair Vincent
 01:45:24 Rep. White

Closing by Sponsor:

01:45:31 Rep. White

EXECUTIVE ACTION ON SJ 17

01:49:54 **Motion:** Sen. Phillips moved that **SJ 17 DO PASS.**

Discussion:

01:49:56 **Motion:** Sen. Phillips moved that **SJ 17 BE AMENDED.**
[**EXHIBIT\(nas70a02\)**](#)

Discussion:

01:51:22 Sen. Connell
 01:51:39 **Vote:** Motion carried unanimously by roll call vote. Sen. Hamlett and Sen. Keane voted by proxy.
 01:52:04 Sen. Hamlett entered the hearing.
 01:52:41 **Motion:** Sen. Phillips moved that **SJ 17 DO PASS AS AMENDED.**

01:52:49 **Substitute Motion/Vote:** Sen. Brenden made a substitute motion that **SJ 17 BE TABLED**. Substitute Motion failed 6-6 by roll call vote with Sen. Ankney, Sen. Brenden, Sen. Connell, Sen. Hoven, Sen. Ripley and Sen. Vincent voting aye. Sen. Keane voted by proxy.

Discussion:

01:53:53 Sen. Brenden
01:53:55 Chair Vincent
01:54:20 Sen. Phillips
01:55:25 Chair Vincent

01:55:27 **Motion:** Sen. Phillips moved that **SJ 17 DO PASS AS AMENDED**.

Discussion:

01:55:38 Sen. Kaufmann
01:55:56 Sen. Hoven

01:56:39 **Substitute Motion/Vote:** Sen. Phillips made a substitute motion that **SJ 17 BE TABLED**. Substitute motion carried 8-4 by roll call vote with Sen. Hamlett, Sen. Kaufmann, Sen. Keane and Sen. Larsen voting no. Sen. Keane voted by proxy.

EXECUTIVE ACTION ON HB 46

01:58:05 **Motion:** Sen. Brenden moved that **HB 46 BE TABLED**.

01:58:18 **Substitute Motion:** Sen. Kaufmann made a substitute motion that **HB 46 BE CONCURRED IN**.

Discussion:

01:58:55 Sen. Kaufmann
01:59:37 Sen. Brenden
02:00:51 Sen. Hamlett
02:01:21 Sen. Hoven
02:02:01 Chair Vincent
02:02:08 Sen. Kaufmann

02:02:17 Sen. Hamlett left the hearing.

02:02:39 **Vote:** Substitute motion failed 5-7 by roll call vote with Sen. Hamlett, Sen. Kaufmann, Sen. Keane, Sen. Larsen and Sen. Phillips voting aye. Sen. Hamlett and Sen. Keane voted by proxy.

02:03:48 **Motion/Vote:** Without objection, Sen. Brenden moved to reverse the vote and **TABLE HB 46**.

EXECUTIVE ACTION ON HB 519

02:04:01 **Motion/Vote:** Sen. Kaufmann moved that **HB 519 BE TABLED**. Motion carried unanimously by voice vote. Sen. Hamlett and Sen. Keane voted by proxy.

EXECUTIVE ACTION ON HB 434

02:04:42 **Motion:** Sen. Phillips moved that **HB 434 BE CONCURRED IN**.

Discussion:

02:05:01 Sen. Brenden
02:05:39 Sen. Ripley
02:06:05 Sonja Nowakowski, research analyst, Legislative Services Division (LSD)

02:06:18 Sen. Hamlett entered the hearing.

02:06:41 Sen. Kaufmann
02:08:32 Chair Vincent
02:09:47 Sen. Ripley
02:10:02 Ms. Nowakowski, LSD

02:10:26 **Vote:** Motion carried 11-1 by roll call vote with Sen. Brenden voting no. Sen. Keane voted by proxy. Sen. Kaufmann will carry the bill.

EXECUTIVE ACTION ON HB 525

02:11:34 **Motion:** Sen. Fielder moved that **HB 525 BE CONCURRED IN**.

Discussion:

02:11:44 Sen. Brenden
02:13:26 Sen. Hoven
02:14:29 Sen. Fielder
02:15:51 Sen. Connell
02:16:51 Sen. Larsen
02:17:39 Sen. Ripley
02:18:30 Sen. Hamlett

02:18:53 **Vote:** Motion carried 7-5 by roll call vote with Sen. Ankney, Sen. Brenden, Sen. Connell, Sen. Ripley and Sen. Vincent voting no. Sen. Keane voted by proxy. Sen. Fielder will carry the bill.

EXECUTIVE ACTION ON SR 5

02:20:39 **Motion:** Sen. Vincent moved that **SR 5 DO PASS**.

Discussion:

02:20:50 Sen. Fielder

02:21:02 Sen. Vincent
02:21:39 Sen. Fielder
02:21:45 Sen. Brenden
02:21:57 Sen. Kaufmann

02:22:13 **Vote:** Motion carried 11-1 by voice vote with Sen. Fielder voting no. Sen. Keane voted by proxy.

Committee Business:

02:22:47 Chair Vincent

ADJOURNMENT

Adjournment: 5:23 pm

Julie Emge, Secretary

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Additional Documents:

EXHIBIT([nas70aad.pdf](#))